

REMARKS

The First Office Action mailed 5/20/2004 has been reviewed. The foregoing changes to the specification were made to correct the typographical errors on Page 1, line 11, changing “grains” to —grams—; and Page 6, line 3, changing “cent” to—center—.

Formal drawing changes adding symbol 10 are submitted to eliminate the Examiner’s objections to the drawings.

Claims 6 through 10 were added omitting certain claim language to comply with the Examiner’s 35 U.S.C. Sec. 112 requirements to allow Claims 6 and dependent Claims 7-10 dependent thereon. In addition, minor grammatical changes were made to the base claim 6 as shown, and add no new subject matter. These broader claims 6 through 10 should therefore be allowed in accordance with the Examiner’s position in the First Office Action recommending allowance of claims with certain language deleted.

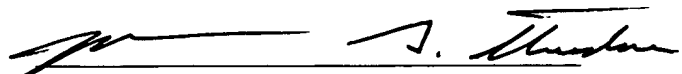
Narrower Claims 1 through 5, as amended, including additional claim language restrictions discussed on page 6 and 7 of the specification, should also be allowed. Applicant does not agree with the Examiner that the original claims are indefinite as the claims are directed to the needs of an individual golfer, which vary from golfer to golfer. Nothing in the claims themselves refer to designing customized correlated sets of clubs, which only provide for the needs of a particular golfer—no particular golfer is named in the claims. The correlated set of tri-weight golf clubs is designed to provide a balanced weighted club for the swing needs of any individual from a group of golfers, not a particular golfer. This is accomplished by tri-weight optimal reinforcement behind the most likely or probable hitting surface of the club face when employed by any member of the group of golfers. This is determined by employing statistical averaging of the shot striking characteristics of the members of a large group of golfers to optimize shot distance and move the center of gravity of the club rearward to assist in maintaining shot alignment (page 5, last paragraph of the specification). Support for this design weighting is evident from the statistical references throughout the specification referring to reinforcing the most likely or most probable club hitting surface of any golfer within a group of golfers (note for example, the reference to the Gaussian distribution of shot dispersions to locate the reinforcement points behind the club face in Claim 2 for

example, which statistical method is only properly used for analyzing large numbers of golfers). Thus, the term “probable” is well understood in the art and refers in this context to the area behind the most likely point of shot contact of any golfer within the set of golfers using the club—see *Roget’s International Thesaurus*, Fourth Edition, page 385, ¶511.6 ADJS probable, likely, liable, apt, verisimilar, in the cards, ... predictable; presumable, presumptive; mathematically or statistically probable, predicable within limits.”

These terms must be read in proper context of the invention, which is not for just one person’s use, but is for players who have different skill levels. In particular, it is designed for those experienced players who can hit in the general vicinity of the area around the sweet spot of the club. By reinforcing this most likely hitting area employing probability analysis, a better feel after impact results. Those shots hit outside of the most probable hitting area are beyond correction, and hence reinforcing this area results in a waste of the limited mass available for club head reinforcement.

This language “most likely”, or “most probable” is equivalent to reinforcing the optimal hitting surface behind the club to optimize shot distance and move the center of gravity of the club rearward to assist in maintaining shot alignment even though the shot is hit off center near the toe, heel, or upper segment of the club face, as mentioned on page 5 of the specification. No tri-weight clubs are disclosed in the art. Nor are there similar weighted designs to reinforce the most likely portions of the club to optimize shot distance and maintain shot alignment so the claims should all be allowed. For the reasons cited above, applicant respectfully requests that the Examiner now allow Claims 1 through 10, as amended, for the reasons cited. If the Examiner prefers to substitute “optimal” for these terms, Applicant would so agree.

Dated this 16th day of August, 2004.


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CERTIFICATE OF MAILING

I certify that I mailed a true and correct copy of the foregoing First Amendment to Mail Stop Non-Fee Amendment to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, postage prepaid this 16th day of August 2004.

A handwritten signature in black ink, appearing to read "J. Thresher".